

FILED

IN THE UNITED STATES DISTRICT COURT FOR

APR 26 2013

THE WESTERN DISTRICT OF OKLAHOMA

ANTHONY BLAKE WASHINGTON, JR.,)

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY Tash DEPUTY

Plaintiff,)

vs.)

No. CIV-13-311-W

SUSAN (last name indecipherable) and)

JANA MORGAN,)

Defendants.)

ORDER

On April 2, 2013, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this matter and recommended that the Court deny the Motion for Leave to Proceed in Forma Pauperis [Doc. 2] filed by plaintiff Anthony Blake Washington, Jr., and dismiss this action for improper venue. Washington, who is proceeding pro se, was advised of his right to object to the Report and Recommendation, see Doc. 5 at 3, but he filed no objections within the allotted time.

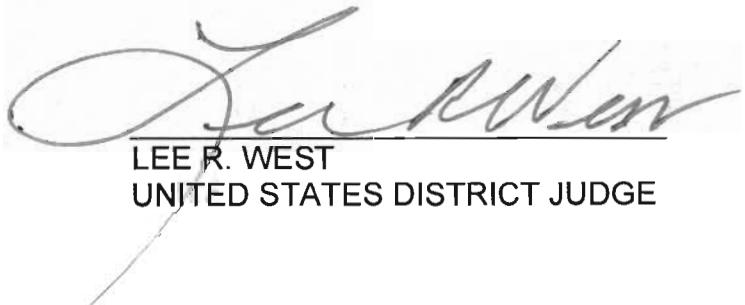
Upon review of the record, the Court concurs with Magistrate Judge Purcell's finding that venue in the Western District of Oklahoma is improper, e.g., 28 U.S.C. § 1391(b), and his suggested disposition of Washington's request to proceed without prepayment of fees and costs.

Accordingly, the Court

- (1) ADOPTS the Report and Recommendation [Doc. 5] filed on April 2, 2013;
- (2) DENIES without prejudice to refiling in the proper judicial district Washington's Motion for Leave to Proceed in Forma Pauperis [Doc. 2] file-stamped April 1, 2013; and

(3) in its discretion, DISMISSES this matter without prejudice. E.g., 28 U.S.C. § 1406(a).

ENTERED this 26th day of April, 2013.



LEE R. WEST
UNITED STATES DISTRICT JUDGE